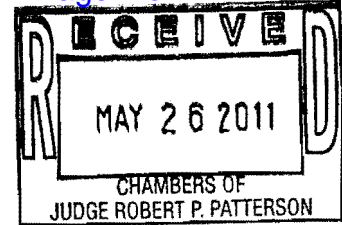


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MEMO ENDORSE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHOE YORK, LLC, STEPHEN
KLUBACK,

Plaintiffs,

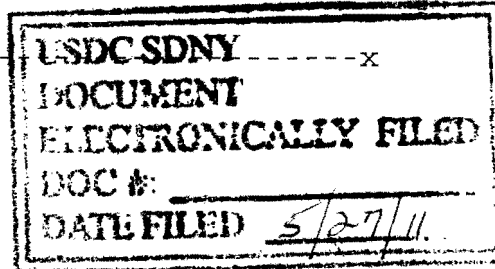
v.

10-CV-7738 (RPP)

BRIAN BETSCHART,

Defendant.

Oral Argument



New York, N.Y.
May 12, 2011
9:49 a.m.

Before:

HON. ROBERT P. PATTERSON, JR.,

District Judge

APPEARANCES

THE LAW OFFICE OF ANTAR P. JONES, PLLC
Attorneys for Plaintiffs
BY: ANTAR P. JONES, ESQ.

SULIMANI LAW FIRM, P.C.
Attorneys for Defendant
BY: NATALIE SULIMANI, ESQ.
BENJAMIN NAHOUM, ESQ.

Defendant's motion to dismiss is denied as to plaintiff's claim of breach of the Revenue sharing agreement and claim of unjust enrichment - set granted as to plaintiff's other claims for the reasons set forth in ordered transcript.
Robert Patterson
5/26/11

Case: Shoe York, LLC, Stephen Kluback v. Brian Betschart
Index No. 10 Civ. 7738 (RPP)

MEMO ENDORSEMENT READS:

Defendant's Motion to Dismiss is denied as to Plaintiffs' claim of breach of the Revenue Sharing Agreement and claim of unjust enrichment but granted as to Plaintiffs' other claims for the reasons set forth in this transcript.

So ordered.

Robert P. Patterson, Jr., U.S.D.J., 5/26/11